

REMARKS

Claims 1-10 are pending in this application. By this Amendment, claims 1, 2, 9 and 10 are amended. No new matter is added.

I. Allowable Subject Matter

Applicant appreciates the indication of allowable subject matter in claims 3, 4, 9 and 10. As claims 9 and 10 are rewritten in independent form to include the features of their base claim and any intervening claims, claims 9 and 10 are in condition for allowance. Additionally, all pending claims are allowable for the reasons discussed below.

II. Drawings

The drawings are objected to for allegedly failing to comply with 37 C.F.R. §1.84(p)(4). Figs. 8 and 9 are amended in reply to the objection to remove the use of similar reference characters identifying disclaimer steps.

III. Objections to the Specification

The title of the invention is objected to as not being descriptive. An amended title is provided in reply to the objection.

The specification is also objected to for a spelling error on page 27, line 17. The error is corrected in reply to the objection.

IV. Claim Rejections Under 35 U.S.C. §102

Claim 1 is rejected under 35 U.S.C. §102(e) over U.S. Patent 6,486,503 to Fossum. The rejection is respectfully traversed.

Applicant submits that Fossum does not disclose each and every feature recited in the rejected claim. For example, Fossum does not disclose an electronic camera comprising ... a photographing preparation device that executes photographing preparations including a mechanical operation for photoelectric conversion performed at said image-capturing device.

As admitted in the Office Action, "Fossum fails to disclose any of the claimed mechanisms for preparing the imager for the next frame." Furthermore, Fossum teaches away from the use of such mechanical mechanisms in that Fossum states that mechanical mechanisms make shuttering imprecise and cause the integration time to vary significantly. Furthermore, Fossum teaches that once configured, the mechanical-type shutters could not be adjusted easily (col. 2, lines 28-33). Therefore, Fossum does not disclose all of the features recited in claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. §102(e) be withdrawn.

V. Claim Rejections Under 35 U.S.C. §103

Claims 2 and 5-8 are rejected under 35 U.S.C. §103(a) over Fossum in view of U.S. Patent 4,974,003 to Ohnuki et al. (Ohnuki). The rejection is respectfully traversed.

Applicant submits that claims 2 and 5-8 are allowable at least because of their dependency on claim 1, as well as for the additional features recited therein.

Applicant submits that there is no suggestion in either of the references to make the combination as alleged in the Office Action. Additionally, as Ohnuki relates only to a film-type camera and does not relate to an image-capturing device that stores a signal electrical charge achieved by performing photoelectric conversion, one skilled in the art would not be motivated to make such a combination.

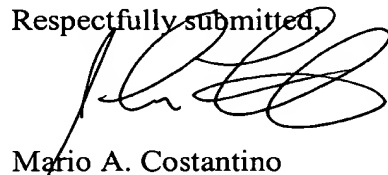
Furthermore, as Fossum teaches away from the use of devices including mechanical operation for a photoelectric conversion, one skilled in the art would not be motivated to combine the mechanical aspects taught in Ohnuki with Fossum to obtain the claimed features, as alleged in the Office Action. Accordingly, the combination of Fossum and Ohnuki does not disclose or suggest each and every feature recited in the rejected claims. Thus, Applicant respectfully requests that the rejection of claims 2 and 5-8 under 35 U.S.C. §103(a) be withdrawn.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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MAC:JWF/ldg

Attachments:

Replacement Sheets
Petition for Extension of Time

Date: October 14, 2003

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